IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE.

WRIT PETITION NO. 2881 OF 2004.

Office Notes,Office Memoranda of Coram, appearances,Court 's orders or directions and Registrar's orders.	Court's or Judge's orders

M.S.Topkar for the petitioner.

Suresh Kumar for the respondent.

CORAM: V.C.DAGA, J.

DATED: 26th April 2006.

P.C.:

. Not on board. Mentioned by learned counsel for the petitioner.

2. Order dated 20th April, 2006, allowing the petitioner to withdraw petition, was passed on the presumption that the Appellate Tribunal at New Delhi has started functioning, so that the petitioner can file appeal before the appellate authority. However, while hearing certain other matters subsequent to the order dated 20th April, 2006, it is brought to my notice by the learned counsel for the respondent that Appellate Authority under the Employees Provident Fund Act has not yet started its functioning for want of Presiding

Officer.

3. In this view of the matter, order dated 20th April, 2006 stands recalled. Vide order dated 20th April, 2006, petitioner was allowed to withdraw the amount deposited by it. If the amount is withdrawn, petitioner is directed to remit it back. Petition stands restored with all earlier orders passed therein. . Stand over for eight weeks.

(V.C.DAGA, J.)